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CEREBUS MELMOTH

S I X



NOTE • FROM • THE PRESIDENT

Well, skipping over the patented Grothian histrionics, Gary addresses the question I posed in *Cerebus* 141 in the last column of "Opening Shots" (*Comics Journal* 140, Feb. 1991):

*Oops, I almost forgot. You asked me if I thought the Hernandezes, Peter Bagge or Dan Clowes should have the right of "free movement" in mid-contract. Well, Dave, it depends. Your answer would be yes, under any circumstances; mine would be yes, under certain circumstances. If, for example I mortgaged the house, hooked the stereo, and sold the children in order to finance a mass-media blitz for **Eightball**, only to find Dan taking **Eightball** to Random House's new avant-garde comics division, I might be a little miffed. In fact I might want to kill him. But, even if I never wanted to publish such a treacherous swine ever again, our contractual arrangement might give me the legal basis I'd need to win back my home, my sound system, and the kids — which seems to me only fair and equitable.*

Well, first of all, no one spends that much money on promotion, Gary. I would assume that in the case of on-going creator-owned series like *Ms. Tree*, *Flaming Carrol*, *Journey* and others which have migrated from publisher to publisher, the promotion costs are just the price of doing business. That is to say, Eclipse didn't sue us to recover promotion money spent on *Ms. Tree*. Or sue Max and Terry. While they published it, they promoted it. When they stopped publishing it, they stopped promoting it, and the promotion of the book became the current publisher's responsibility.

Gary continues:

*And you have to remember that contracts work both ways. If I called up the Hernandezes and told them that the only way I could figure out how to afford that new yacht was to pay them only a third of the contractually agreed-upon royalties on all those copies of **Love & Rockets** collections in our warehouse, their "free-movement" to a publisher who wouldn't rip them off wouldn't mean much, would it? They'd want to make sure they received their contractually agreed-upon royalties, and the only way to do that would be to have those royalties stipulated in writing, in a signed contract. (Then they could sue my ass off, which they probably would.)*

I would doubt they would "sue your ass off," Gary. Legal action is a luxury of those with large amounts of available cash (as you know probably better than any of us). There is not very much money to be had in publishing independent comics and there is usually less to be had writing and drawing them. Free movement, I believe, at least guarantees that revenues from creative work are not being eaten up in legal costs on the part of publishers or creators.

Gary continues:

Your hypothetical involving Peter, Dan, Jaime, and Gilbert isn't quite appropriate because the relationship isn't a purely business one (I know this is hard for you to believe.) Still, the reason contracts are entered into in good faith and abided by equally by both parties is so that either party can seek legal redress, if he so chooses — which, granted, in most cases he probably wouldn't.

It's not hard for me to believe at all, Gary. As I put it to the very Fantagraphics-loyal Peter Bagge when I met him in Toronto (nice guy, by the way): if Gary decides *Eros* and *Monster* and Fantagraphics and Redbeard aren't enough and he decides he needs, say, a dozen imprints with two dozen titles each, to keep *Love & Rockets*, *Hale* and *Eightball* alive, are we all just expected to bite the bullet and amiably agree that a Fantagraphics glut is in a "good cause" and, say, DC's isn't? Could DC not argue that they have to publish all this drak to keep *Sandman* going (under that same reasoning)? Is it unreasonable to suggest that *Love & Rockets*, *Hale* and *Eightball* will survive and flourish whatever fate befalls Gary Groth and Fantagraphics?

I think, Gary, in your heart of hearts, you know that free movement is the only thing that makes sense. Like every other publisher (my past self included) you get (whether deserved or not) unquestioning loyalty from those who perceive your treatment of them to be fair. Those who don't think you treat them fairly will leave (or, in some cases, have left). You win a few, you lose a few. Giving a lot of money to lawyers over the course of several years, to interpret, re-interpret, counter-interpret and cross-interpret a contract in a court of law strikes me as a sad waste of anyone's money; whether he is a conscientious and dedicated publisher or a conscientious and dedicated creator.

Ger and I will NOT attend the 1991 San Diego Con as previously announced. Apologies to everyone involved.

CEREBUS

NO. 145

APRIL 1991

DAVE SIM
President

GERHARD
Vice-President

MONIQUE KAPTEIN
Administrative Assistant

LINDA BERZINS
Typesetting

MELMOTH
a short story

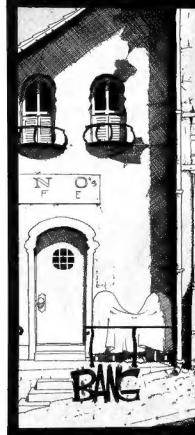
(Cerebus 139 to
Cerebus 150)

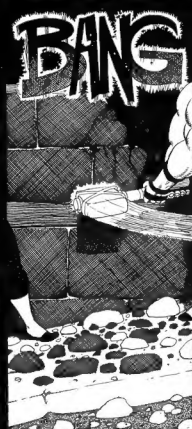
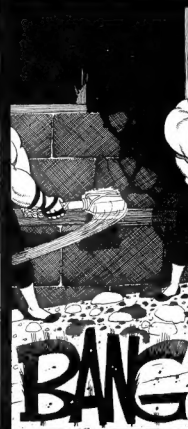
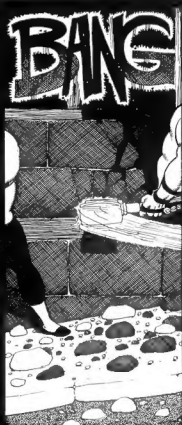
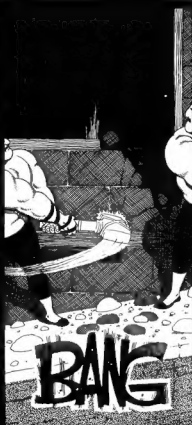
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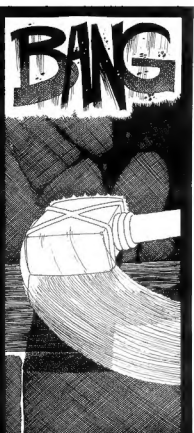
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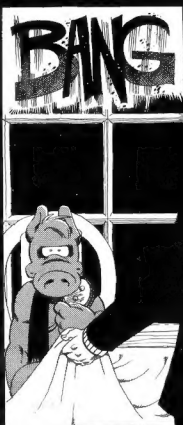
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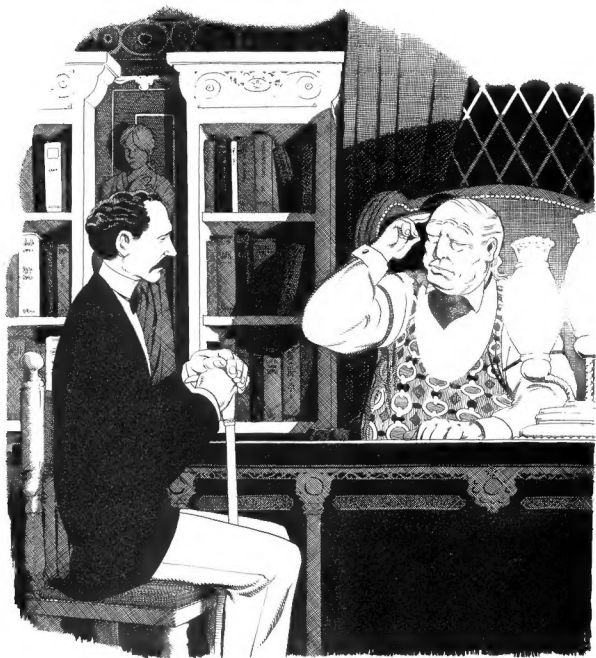






Dear Robbie,

Please send directions at once as to who is to be communicated with if Oscar dies, also be prepared to write to anyone. I am rather muddled. Tucker wrote to me to warn Oscar's family and on my going to see him (Tucker) he told me Oscar might die at any moment and that his mind was gone

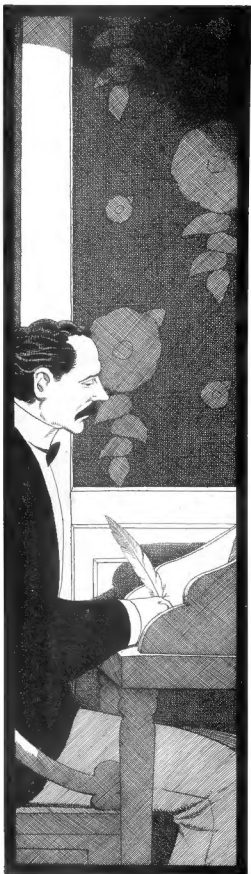


On coming here, I found Oscar better, his mind clear and able to talk, but his utterance is thick and his eyes odd. Tucker now thinks he may get better, but thinks the chance small. I am sleeping at the Hôtel d'Alsace and shall do so so long as the condition is dangerous. Tucker explained he could not have consultations with no money so I have told him I will be responsible for all necessary expense.



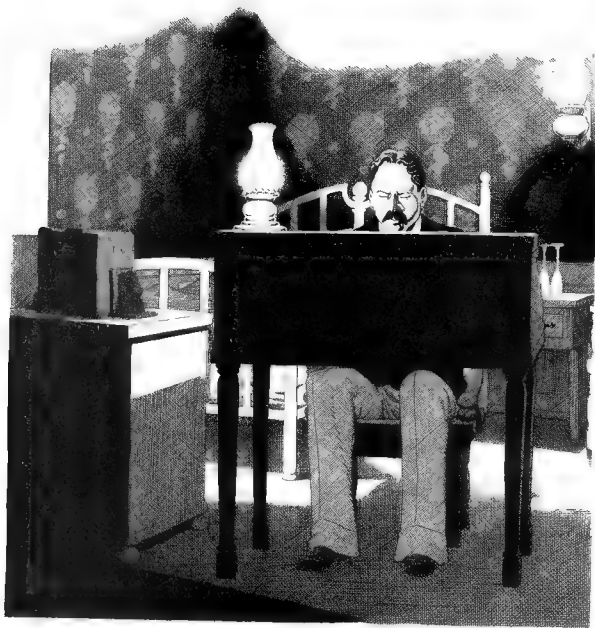
In case Oscar dies I must have some advice and instructions how to act. Who is the responsible person? You ought to write to the guardian of his children if you know his address. The doctors are very nervous as they are afraid they will be called to account by someone. In this city-state they are very responsible but I told Tucker he need not be afraid. He is going to write an account of the consultations and seal it and give it to you.

Is there anyone in New Sepra who ought to be told? I don't know Bosie's address but wrote yesterday to Duke Street on the chance. I also wrote to Harris saying if he had anything soothing to say to Oscar he had better do so at once as he might die at any moment





or might be better in
which case mental consolation
would be of the utmost value.



SO I WANTED TO
FIND A PAIR OF RED
SHOES THAT WOULD
MATCH MY RED
BLOUSE

SHUK

BUT THEY
HAD TO BE
THE RIGHT
RED

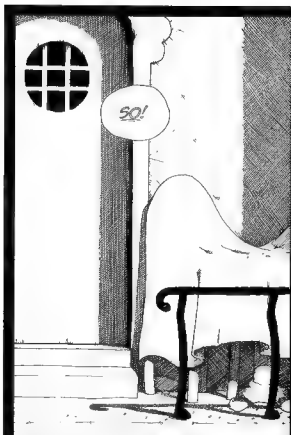
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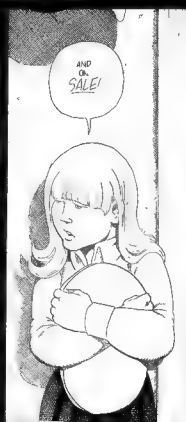
BECAUSE MY
RED PURSE ISN'T
THE SAME RED
AS MY RED
BLOUSE

SHUK

SO I HAD TO FIND
RED SHOES THAT
WERE THE RIGHT
RED FOR MY RED
BLOUSE AND THE
RIGHT RED FOR
MY RED PURSE

SHUK





AND
ON
SALE!



AND THEY'D
GO WITH MY
RED BOOTS
AND THEY'D
GO WITH MY
BLACK SKIRTS
AND WITH MY
WINTER COAT



AND
I COULD
WEAR THEM
FOR WORK?



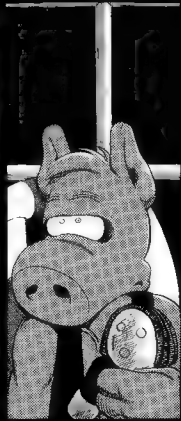
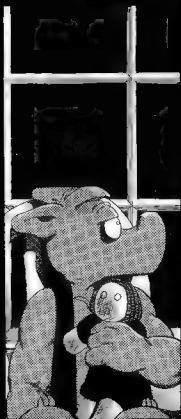
BUT IF I BUY
THE BLACK SHOES
I AM GOING TO
WISH I BOUGHT
THE RED SHOES
BECAUSE I LOOKED
AND LOOKED FOR
THEM FOR WEEKS
AND WEEKS

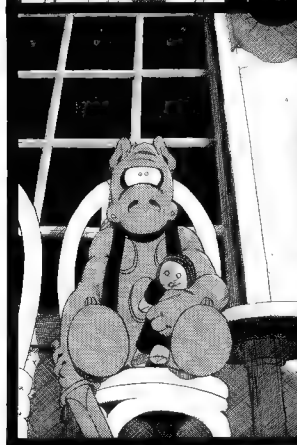


BUT IF I BUY
THE RED SHOES
I'M GOING TO
WISH I BOUGHT
THE BLACK SHOES
BECAUSE THEY'RE
MORE PRACTICAL
AND THEY'RE ON
SALE AND THEY'RE
REALLY
NICE











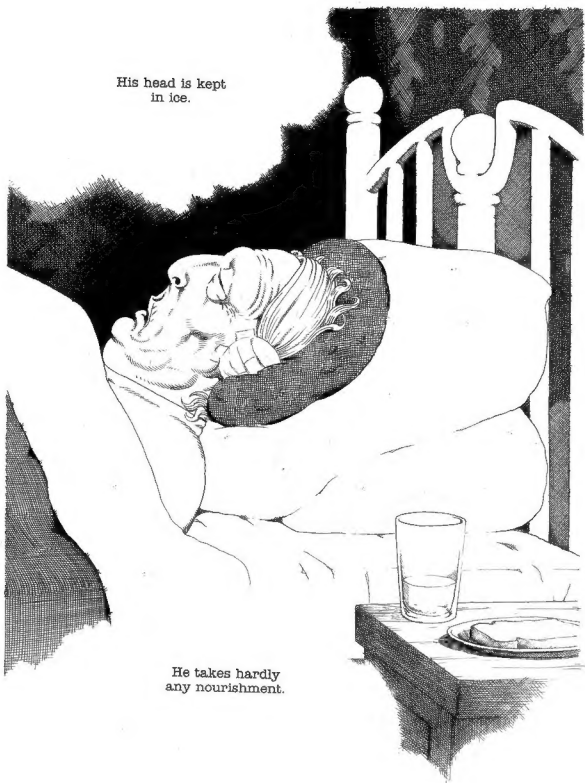


If Oscar dies
Harris must hand
over the money to
you or some
responsible person
who will pay the
debts to these
people who have
been so good to
Oscar.



He is very
difficult,
makes scenes
and refuses
to allow them
to put
mustard
plasters
on his
legs.

His head is kept
in ice.



He takes hardly
any nourishment.

